

SENATOR BRASHEAR: ...and maybe of the general public.

SPEAKER WITHEM PRESIDING

SPEAKER WITHEM: Time. Senator Witek, on the Brashear amendment.

SENATOR WITEK: Mr. Speaker, members of the Legislature, I rise in opposition to the Brashear amendment because it takes out a couple of sections that I find very important, at least in relationship to this contract that we have in front of us with Maximus, and one is the area in Section 1, line 8, that talks about the types and provisions of contracts executed on behalf of the state have a direct bearing on the economical and efficient...efficient...economical and efficient administration of the affairs of the state. To me it is not very efficient to pay \$6 million to an out-of-state, never having a bidding process, never allowing people within the state to be involved in that, never having any...anyone within the departments themselves offering to do some of this work for the State of Nebraska, never allowing our U.S. Senators and their staff, they each have staffs of at least 20 people, I think, that work in Washington and here in Nebraska that I think could have done some of this researching, never allowing any of our Congressmen and their staffs to be involved in any of this, never allowing our lobbyists that we hire with tax dollars in Washington to be involved in any of that, so I do have problems with striking this language. I also have concerns with striking the language on page 2, line...section (8) is what it is, of this contract, and it says contingency fee contracts are not in the public interest and are not favored when public funds are to be expended because they are conditioned on the occurrence of a future event which itself is uncertain or questionable and may extend the state's obligation to pay an indefinite amount into the indefinite future. Ron Sorenson, himself, was the individual who signed the Maximus contract stated in his testimony to the Government Committee that there is, obviously, a risk that this project may not succeed, given the complexity of the work that must be performed and the uncertainty of the federal approval process. So there are good reasons to have at least some of this language explaining the discussion that was on this floor and the intent of the Legislature in future contracts. I also have a concern, and I passed out two-page, signature pages of the contracts that I received, I received one page from Senator Chambers when we first were discussing